Copyright Infringement

As required by law, Martin Luther College (MLC) is notifying all students of the copyright law concerning music and video. Please read the following.

Sharing Music and Videos

In simple terms, possession of a song or movie that you have not paid for is illegal. You should not share or accept copies of music or videos with another individual. Copying a CD or DVD or creating a digital copy (MP3, MPEG-1, MPEG-2, etc.) and sharing it with anyone is a violation of copyright law. Many peer-to-peer (P2P) programs like Bit Torrent, LimeWire, Ares, and KaZaA allow computers to share files, including music and video, with no regard to restrictions placed on the material by the copyright owners. Most commercially produced music and videos are copyright protected and cannot be freely shared. This is the law. You should be aware that P2P networks are monitored by the Recording Industry Association of America and actions have been taken, both civically and legally against those found to be in violation. MLC is required to provide the names of those who have violated copyrights if notified. Keep in mind that ALL internet traffic is logged and can be traced to an individual IP address.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than $750 and not more than $30,000 per work infringed. For “willful” infringement, a court may award up to $150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504,

505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to $250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at http://copyright.gov, especially their FAQ's at http://copyright.gov/help/faq.

Legal Sources of Online Content

Not all free sources of content are illegal. Some sites provide content at no charge; they are funded by advertising or represent artist who want their material distributed for free, or for other reasons. The link following has many sites, maintained by EDUCAUSE, that offer legal downloads, both free and at a cost: http://educause.edu/legalcontent.

Revision #1
Created 20 August 2019 20:07:38 by Bob Martens
Updated 1 September 2020 14:09:29 by Bob Martens